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October 20, 2010

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OCT 25 2010

AT 8:30  
WILLIAM T. WALSH  
CLERK

**VIA ELECTRONIC FILING**

Honorable Tonianne J. Bongiovanni, U.S.M.J.  
United States District Court  
Clarkson South Fisher Federal Bldg. & Courthouse  
402 East State Street  
Trenton, New Jersey 08608

Re: **E. Allen Reeves, Inc. v. Michael Graves & Associates, et al.,**  
**Docket No. 3:10-cv-01393-JAP-TJB**

Dear Judge Bongiovanni:

At Your Honor's direction, on behalf of Third Party Defendant The Arts Council of Princeton, please be advised that we wish to proceed with the motion originally filed August 13, 2010 under Docket No. 32. It is our understanding that it is not necessary for us to "refile" our August 13, 2010 motion papers, but rather the submittance of this correspondence is sufficient in that regard. Should we be mistaken in this understanding, we would be happy to comply with the Court's further direction.

Respectfully submitted,  
DALY, LAMASTRA & CUNNINGHAM

John E. Lamstra

JEL:tyj  
cc: All Counsel of Record

So Ordered this 25<sup>th</sup> day  
of October, 2010

*Tonianne J. Bongiovanni*